

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(GREENBELT)**

<p>THE UNITED STATES OF AMERICA</p> <p style="text-align: center;">v.</p> <p>VADIM MIKERIN</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>Criminal No.: 14-CR-529-TDC 14-CR-1649-WGC</p>
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MOTION TO SUPPRESS STATEMENTS

Pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, Defendant Vadim Mikerin, by and through undersigned counsel, hereby respectfully moves this Court to suppress any and all statements, admissions and confessions allegedly given by Mr. Mikerin whether oral, written or otherwise recorded, which the government proposes to use as evidence against him at trial. In support of this Motion to Suppress Statements (the “Motion), Mr. Mikerin states as follows:

1. Mr. Mikerin is charged in a single-count indictment with Conspiracy to Interfere with Interstate Commerce in violation of 18 U.S.C. § 1351(a). He was arraigned on November 25, 2014 and entered a plea of not guilty.
2. On October 29, 2014, two Federal Bureau of Investigation (FBI) agents questioned Mr. Mikerin for roughly four hours prior to advising Mr. Mikerin of his *Miranda*

rights. In response to the FBI agents' questions, Mr. Mikerin made several statements that the government may allege are inculpatory.

3. Any statements, admissions, or confessions that were obtained in violation of Mr. Mikerin's privilege against self-incrimination and his right to counsel, as guaranteed by the Fifth and Sixth Amendments to the United States Constitution and the Supreme Court's holding in *Miranda v. Arizona*, 384 U.S. 436 (1966), should be suppressed.

4. Mr. Mikerin is entitled to a hearing regarding the voluntariness of any statements, admissions, or confessions attributed to him in accordance with the provisions of 18 U.S.C. § 3501 and the principles set forth in the case of *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965).

5. The government has indicated that it will provide additional discovery, gathered over the course of several years, on a rolling basis. Accordingly, Mr. Mikerin reserves his right to supplement this Motion and file additional motions to suppress based on the government's subsequent productions. Counsel for Mr. Mikerin consulted with the government regarding this issue, and the government stated that it will not oppose the filing of additional motions that are filed one month in advance of the motions hearing date established by the Court.

WHEREFORE, Mr. Mikerin moves that these statements, admissions and confessions that the government proposes to use as evidence against him, whether oral, written or otherwise recorded, be suppressed.

DATED: December 15, 2014

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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ATTORNEYS FOR DEFENDANT
VADIM MIKERIN

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court of the United States District Court for the District of Maryland using the CM/ECF system on December 15, 2014.

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

Dated: December 15, 2014

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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